

REMARKS

The Office action dated May 22, 2008, and the references cited have been fully considered. In response, please enter the amendments and consider the remarks presented herein. Reconsideration and/or further prosecution of the application is respectfully requested. No new matter is added in this paper.

First, Applicants appreciate the thoughtful examination of the application, including the Office determining that claims 1-9, 20, 22, 24-27, and 33-46 were allowed; and that, the remaining claims, claims 10-19, 21, 23, and 28-32 would be allowable after overcoming the § 112 issues.

Applicants further appreciate the thoughtful examination of the application, including the full consideration of the submitted references evidenced on the returned 1449's/IDS's indicating such consideration by the Office.

However, the Office apparently "lost" an electronic IDS properly filed with the USPTO on May 7, 2006, as a copy of the 1449 was not return to Applicants with the outstanding Office action, and Applicants could not locate it in the electronic Image File Wrapper of the present application. Applicants are resubmitting this IDS contemporaneously herewith with a separate cover letter. Applicants respectfully request the Office consider the one cited reference, and indicate such on the record of the present application.

Additionally, for completeness, Applicants have filed another electronic IDS contemporaneously herewith in order to cite the references listed on an 892 provided by the Office with the Notice of Allowance of the continuation-in-part child application (US 10/892,930) of the present application. Applicants respectfully request the Office consider cited references, and indicate such on the record of the present application by returning a copy of the 1449 with the Office's marking of consideration of all of the cited references.

Next, Applicants have taken this opportunity to cleanup a definition in the specification to be consistent with common usage and as preferred by the Office. The term

"computer-readable medium" is updated to ensure it complies with standard usage in the art, and the specification is amended herein to clarify the description of computer-readable medium in accordance with the MPEP it that it excludes mere signals pursuant to the majority opinion expressed in *In re Nuijten*, (Fed. Cir. 2006), slip. op. 2006-1371. Additionally, independent claims 33 and 40 are amended herein to explicitly state that the claim is directed to *tangible computer-readable medium*, with support provided by the original claims and the specification on page 8, which defines computer-readable medium to include random access memory, which is a tangible computer-readable medium.

Turning to the Office action, claims 1-9, 20, 22, 24-27, and 33-46 stand allowed.

Claims 10-19, 21, 23, and 28-32, stand rejected under 35 USC § 112, second paragraph.

In regards to independent claim 10 and dependent claims 11-14, Applicants appreciate the Office's suggestion to correct the obvious typographical error. As claim 10 is amended to recite "corresponding to", Applicants respectfully request that the rejections of claims 10-14 be withdrawn.

In regards to independent claim 15, and its dependent claims 16-19, Applicants appreciate the Office's pointing out that it might not be as clear as possible. Applicants have reworded the claim language to be more clear that that original claim 15 recited an embodiment in that the instructions corresponding to a lock request are not processed until after an immediately prior lock request was released. Applicants have reworded the claim to more explicitly state this limitation and to remove the possible confusion induced by the conjunctive limitation. Support for such amendment is provided by original claim 15, as well as page 14, lines 16-17 of the original application, as well as FIG. 2C, which includes process blocks 250

and 254 which loops until the release, which then a next lock request can be processed. For at least these reasons, Applicants respectfully request the rejections of claims 15-19 be withdrawn.

Additionally, Applicants have added a new claim set of independent claim 47 and dependent claims 48-51 directly based on original claims 15-19, with new independent claim 47 not including the language of original independent claim 15 considered confusing by the Office. Support for such claims at least is provided by original claims 15-19, as well as page 14, lines 16-17 of the original application, as well as FIG. 2C, as well as from page 17, line 19 to page 18, line 2 which discusses that the locks and performance of instructions may be blocking or non-blocking, including an extensible list of example operations thereof. For at least the same reasons that the Office considered original claims 15-19, Applicants respectfully submit that claims 47-51 are allowable.

In regards to the rejection of claim 22, Applicants respectfully traverse the rejection as it is clear to one skilled in the art. The Office action states that it is unclear what is meant by "perform said make the lock request..." Applicants note that independent claim 21, from which claim 22 depends recites the following limitations:

"each packet processor of the plurality of packet processors configured to receive a particular packet, to ***accept a root ordered lock corresponding to the root ordered locking request for the particular packet***, to process the packet to identify a secondary lock, to ***make a locking request corresponding to the secondary ordered lock***, and to ***release the root ordered lock***."

Therefore, the limitations of "said make the lock request corresponding to the secondary lock" and "said accepting the root ordered lock corresponding to the root ordered locking request for the particular packet" and "said releasing the root ordered lock" all have proper antecedent basis. Claim 22 adds an express limitation corresponding to the ordering of the limitations recited in independent claim 21. For at least these reasons, Applicants respectfully request the rejection of claim 22 be withdrawn.

In regards to dependent claim 23, Applicants greatly appreciate the Office bringing the confusing language to the attention of Applicants. Claim 23 is amended to herein to clean up the language, with support provided at least by original claims 23 and 2.

Finally, in regards to independent claim 28 and dependent claims 29-32, Applicants appreciate the Office's suggestion to correct the obvious typographical error. As claim 28 is amended to recite "corresponding to", Applicants respectfully request that the rejections of claims 28-32 be withdrawn.

For at least these reasons, all pending claims are believed to comply with 35 USC § 112, and Applicants respectfully request all § 112 rejections be withdrawn.

Additionally, should the Office have any further wording concerns of the claims, Applicants expressly invite the Office to contact Applicants' representative via the telephone to resolve any such concerns, in order to allow this application to proceed to issuance.

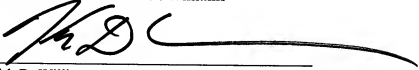
Final Remarks. In view of the above remarks and for at least the reasons presented herein, all pending claims are believed to be allowable over all prior art of record, the application is considered in good and proper form for allowance, and the Office is respectfully requested to issue a timely Notice of allowance in this case. Applicant requests any and all rejections and/or objections be withdrawn. If, in the opinion of the Office, a telephone conference would expedite the prosecution of the subject application, the Office is invited to call the undersigned attorney, as Applicants are open to discussing, considering, and resolving issues.

Applicants request a one-month extension of time is required. Should a different extension of time be deemed appropriate, Applicants hereby petition for such deemed extension of time. Applicants further authorize the charging of Deposit Account No. 501430 for any fees that may be due in connection with this paper (e.g., claim fees, extension of time fees) as required in addition to the payment made herewith using EFS-Web.

Respectfully submitted,
The Law Office of Kirk D. Williams

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By



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